

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Michael Benser; Ruth Lyons; and Eric Falkenberg

Serial No.: 10/765,625

Art Unit: 3766

Filed: January 26, 2004

Examiner: E. Wu

For: AUGMENTING HYPOVENTILATION


Docket No.: A04P1009

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being electronically
filed on:

May 4, 2007

 5/4/07
Melinda R. Hallmark Date

Sir:

In the Office Action mailed March 12, 2007, for which a one-month extension of time is hereby requested, the Examiner has identified three patentably distinct inventions, namely Invention I corresponding to claims 1-31, Invention II corresponding to claims 32-34, and Invention III corresponding to claims 35-38. The Examiner has required Applicants to elect one invention. Therefore, Applicants elect Invention I corresponding to Claims 1-31. This election is made without traverse.

Please amend the application as follows.